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December 15, 2010

VIA ECFS

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

Re: *Preserving the Open Internet*, GN Docket No. 09-191; *Framework for Broadband Internet Service*, GN Docket No. 10-127; *A National Broadband Plan for Our Future*, GN Docket No. 09-51; *Connect America Fund*, WC Docket No. 10-90; *High-Cost Universal Service Support*, WC Docket No. 05-337

Dear Ms. Dortch:

On December 14, 2010, Eric Einhorn, Jennie Chandra, and the undersigned, from Windstream Communications, Inc. (“Windstream”), met with Angela Kronenberg, Wireline Legal Advisor to Commissioner Mignon Clyburn. Consistent with its filings in the above-referenced proceedings, Windstream argued that the creation of separate regulatory silos for wireless and wireline will distort inter-platform competition, which is highlighted in the attached article that was provided to Ms. Kronenberg.

Windstream contended that the need for parity and even-handed treatment of wireline and wireless broadband services will recur and should be addressed by the Commission now. In particular, Windstream cited the upcoming creation of the Connect America Fund to promote universal broadband and voice connectivity. The National Broadband Plan proposes to fund broadband deployment for one provider per high-cost area. Will we potentially see one network openness standard in one high-cost area, and a separate standard in a nearby area that has a different provider? Windstream asserted that if fixed broadband providers are subject to network openness rules, these same rules must apply to any provider—including any mobile wireless provider—that offers broadband as a supported service pursuant to Section 254 of the Communications Act. Windstream also submitted the attached document.

If you have any questions or need any additional information, please feel free to contact me.

Sincerely,

/s/

Malena F. Barzilai

Attachments

cc: Angela Kronenberg

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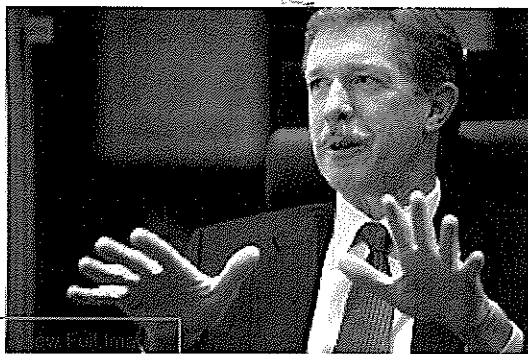
BOSS TALK | DECEMBER 13, 2010

New Verizon Wireless CEO Dashes Into 4G Service

By SHAYNDI RAICE and ROGER CHENG

Verizon Wireless's new chief executive, Daniel Mead, is pulling right into the fast lane.

Two months after he took the job Oct. 1, Verizon plunked down its biggest bet in years by launching an expensive new fourth-generation wireless broadband network. It promises super-fast Web surfing that will make it easier, for example, to watch video on smartphones and tablets.



Scott Gries for The Wall Street Journal

Verizon Wireless CEO Daniel Mead says the company's 4G technology is a 'practical' substitution for DSL.

Mr. Mead will have to cut through the noise from competitors claiming similar capabilities and persuade customers Verizon's is better. He will also have to keep Verizon's lead as the industry shifts to relying more on data services.

Then there are the reports that the country's largest wireless carrier, which has built a deep and lucrative relationship with Google Inc., might soon get to carry Apple Inc.'s iPhone. (A spokesman declined to comment.)

The job of sorting all that out falls to a low-profile leader, typical for a company that despite its splashy marketing campaigns tends to

promote executives quietly from within. Mr. Mead has served as an executive at the company since it was created as a joint venture of Verizon Communications Inc. and Vodafone Group PLC a decade ago—usually in jobs where he is deep in the details of making it all work.

He likes speed, as evidenced by his passion for watching motor sports as well as the IndyCar series trophy given to him by racer Will Power and displayed prominently in his office. (Verizon Wireless sponsors the driver and his team.)

Mr. Mead recently spoke with The Wall Street Journal.

Excerpts:

WSJ: How is your 4G technology, called Long-Term Evolution, different from existing networks?

Mr. Mead: LTE is an enormous investment for us. We're covering over a third of the country right now. As we get out through 2012, we'll have about 85%. The difference is speed, quality and improvement in the latency.

WSJ: How are you going to distinguish your 4G from rival technologies?

Mr. Mead: The quality of the network is paramount for us. It was clear to us that LTE was a superior technology. I spent some time running wireline [landline] and FiOS [Verizon's high-speed home Internet and television business], and wireless is going to offer a tremendous breadth of capabilities for substitution.

WSJ: So are you saying LTE could serve as a replacement for wireline services?

Mr. Mead: It is a very practical and encouraging substitution for DSL, particularly when you look at rural markets.

WSJ: What's your vision of the future for mobile devices?

Mr. Mead: I think the world for the next few years is going to be more around tablets and smartphones. I think we'll see netbooks come under a little bit of pressure and maybe PCs a little, but still those categories will be in the lineup. I know that I have pretty much stopped carrying a PC around. I have a tablet and smartphone.

WSJ: Which tablet do you carry?

Mr. Mead: All of them. I had access to the iPad a little earlier than I had access to the [Samsung] Galaxy [Tab], but we're using both of them. I wrestled them away from my wife, because she uses them as well.

WSJ: Where do you see the company five years from now?

Mr. Mead: I feel like we're hitting another growth spurt. I think we should be thinking 300% to 400%-plus penetration [with three to four devices per person].

WSJ: Where will the revenue come from?

Mr. Mead: I do not see voice revenue evaporating. We may deliver it in different ways—think about [Internet-based voice service] and capabilities that are enabled by the LTE network—but people are going to need to talk to each other. We're also very pleased with our small and medium business growth and our enterprise growth.

WSJ: What are your thoughts on data pricing?

Mr. Mead: We've tried some things recently. We're very encouraged [by the holiday offer of a \$15 data plan]. We have not moved in terms of unlimited for consumers in the \$30 price point. Some day we may consider metered pricing. We haven't made any final decisions there yet.

WSJ: Would you consider a "family plan" for data?

Mr. Mead: We've shared voice minutes and text messages for the family. I think it's fully in the realm of possibility in the not-to-distant future to be able to start thinking through the options.

Describe it as account-level pricing. How do we get to 300%-400% penetration? That's a vehicle to get there.

Write to Shayndi Raice at Shayndi.Raice@wsj.com and Roger Cheng at roger.cheng@dowjones.com

Revenue, in billions		Net Income, in billions		Employees	
2009*	2010*	2009*	2010*	2009*	2010*
\$46.4	\$47.8	\$10.9	\$12.3	84,000	80,000

Verizon Wireless *For the nine months ended Sept. 30

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CTIA Advocacy in Support of Competitive Neutrality

1. IP Transition

According to CTIA, “*The Commission should ensure regulatory parity among providers during the transition from predominantly circuit-switched to IP networks.*” The Commission should explore how to ensure that neither circuit-switched nor IP-based providers are advantaged or disadvantaged by regulatory structures while the two types of networks operate concurrently and compete with one another.”

Comments re: NBP PN #25 (Transition to IP) (12/22/09), p. 4,
<http://fjallfoss.fcc.gov/ecfs/document/view?id=7020354253> (emphasis added).

2. Online Privacy

In arguing that Children’s Online Privacy Protection Act liability should not attach to wireless companies that offer Internet access (as is the case for wireline companies), CTIA observes that “*wireless carriers now provide the same Internet access function as do other ISPs, such as cable operators and DSL providers.*”

Comments re: Implementation of the COPPA Rule (6/30/10), p. 8,
<http://www.ftc.gov/os/comments/copparulerev2010/547597-00039-54849.pdf> (emphasis added).

3. Public Safety

CTIA urges the FCC to “ensure that any requirements for Next Generation 911 services . . . *be technology neutral* and technically feasible.”

Comments re: NBP # 8 (Public Safety, Homeland Security, Cybersecurity) (11/12/2009), p. 2,
<http://fjallfoss.fcc.gov/ecfs/document/view?id=7020348089> (emphasis added).

4. Pole Attachments

CTIA argues that “all providers capable of providing broadband Internet access service should be subject to the lower default Cable Rate Formula that will *promote competitive parity* for all broadband service providers.”

Reply Comments re: Pole Attachments (4/22/08), pp. 12-13,
http://files.ctia.org/pdf/080422_CTIA_Pole_Attachments_NPRM_Reply.pdf (emphasis added).

5. Universal Service

CTIA’s USF advocacy is riddled with calls for competitive neutrality. For example, the introduction to CTIA’s comments on the Connect America Fund includes the following:

- “CTIA proposes modest changes . . . , including encouraging the Commission to . . . *Adopt long-term reforms that are competitively neutral.* . . .” (p. ii)

- “In these comments, *CTIA proposes changes to the Commission’s near-term proposals to ensure that competitive disparities in the legacy high cost mechanism are not perpetuated, or worse, exacerbated.* Specifically, *CTIA urges the Commission to ensure . . . that any phase-out of existing high cost support is undertaken . . . in a competitively neutral manner*, with the same timeline for the phase-out of legacy support for all industry participants. As CTIA explains, drawing down CETC support, without making similar changes to incumbent LEC funding, would place the burden of reform solely on one class of consumer, one class of provider, and one technology.” (p. ii)
- “CTIA also believes that *the Commission is unquestionably correct in calling for competitively-neutral funding* and recognizing the need to support the function of mobility, *whether through the broadband-focused fund or a mobility-focused fund or a combination of the two.*” (p. iii)

Such calls for competitive neutrality are repeated throughout the text of the comments. (Just search for “neutral” – which appears 36 times in these comments alone.)

Comments re: CAF (7/12/10), <http://fjallfoss.fcc.gov/ecfs/comment/view?id=6015666265> (emphasis added). *See also* Comments re: NBP #19 (USF/ICC) (12/7/09), <http://fjallfoss.fcc.gov/ecfs/document/view?id=7020351764> (reiterating requests for competitive neutrality); Reply Comments re: CAF (8/11/10), <http://fjallfoss.fcc.gov/ecfs/comment/view?id=6015847094> (same).